



Attorney Docket No. 06029 USA  
MHM Docket No. 13182US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION OF:**

Ronald M. Pearlstein  
John G. Langan  
Dao-Hong Zheng  
John Irvn and  
Benjamin L. Hertzler

SERIAL NO.: 09/641,933

FILED: August 18, 2000

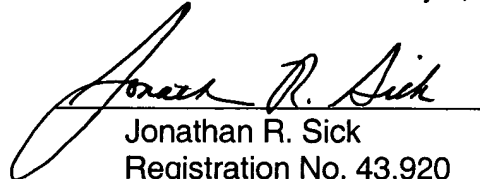
FOR: Sub-Atmospheric Gas Delivery  
Method and Apparatus

EXAMINER: Walton, G.L.

GROUP ART UNIT: 3753

**CERTIFICATE OF MAILING**

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EV436253943US on January 4, 2005.

  
Jonathan R. Sick  
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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Examiner George L. Walton issued a Notice of Allowance in the present case on  
December 15, 2004. The present case is a continuation-in-part of U.S. Serial No.  
09/189,562, which issued as U.S. Patent No. 6,314,986 on November 13, 2001. Under  
section 609(I)(A)(2) of the Manual of Patent Examining Procedure, an examiner has an

obligation to consider information which has been submitted in a parent application when examining a continuation-in-part application:

The examiner will consider information which has been considered by the Office in a parent application when examining . . . (C) a continuation-in-part application filed under 37 C.F.R. 1.53(b). A listing of the information need not be resubmitted in the continuing application unless the applicant desires the information to be printed on the patent.

In reviewing the file wrapper of the present case prior to issuance, it was unclear to the undersigned counsel whether or not Examiner Walton had considered all of the references submitted in the parent case, U.S. Serial No. 09/189,562. Counsel for Applicants also understands that Examiner Walton has recently retired from the Patent Office.

Out of an abundance of caution, Applicants file this Information Disclosure Statement (in conjunction with a Request for Continued Examination) in order to ensure that the references from the parent case (Serial No. 09/189,562) are considered. Specifically, Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO/SB/08A. Copies of the listed documents which are not U.S. patent documents are enclosed.

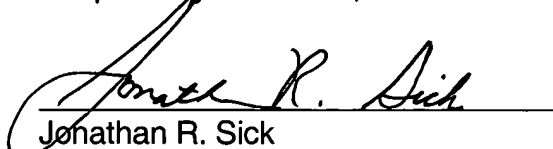
Applicants request that the Examiner fully consider this Information Disclosure Statement and all references identified on the attached Form PTO/SB/08A. Applicants request that the Examiner indicate that the references were considered by making appropriate notations on the attached form.

Pursuant to 37 CFR §1.97(g) and (h), this submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the

Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Application reserves the right to present to the Office facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take any appropriate action to establish the patentability of the claimed subject matter over the listed references.

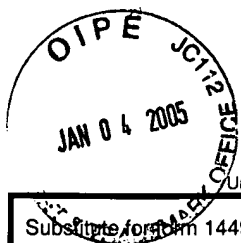
In the event that any fees are required for the consideration of this Information Disclosure Statement and the information contained herein, the Commissioner is authorized to charge our Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

  
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Attorney for Applicants

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Dated: January 4, 2005



PTO/SB/08A (08-03)

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Substitute for Form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	09/641,933
Filing Date	August 18, 2000
First Named Inventor	Pearlstein
Group Art Unit	3753
Examiner Name	George L. Walton
Attorney Docket Number	06029 USA (MHM-13182US01)

**U.S. PATENT DOCUMENTS**

Examiner Initial*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	4,169,486	10-02-1979	Otteman et al.	
	A2	4,383,547	05-17-1983	Lorenz et al.	
	A3	4,554,942	11-26-1985	Williams et al.	
	A4	4,723,967	02-09-1988	Tom	
	A5	5,033,499	07-23-1991	Patel et al.	
	A6	5,086,807	02-11-1992	Lasnier et al.	
	A7	5,127,436	07-07-1992	Campion et al.	
	A8	5,137,047	08-11-1992	George	
	A9	5,163,475	11-17-1992	Gregoire	
	A10	5,392,815	02-28-1995	Stuart	
	A11	5,440,477	08-08-1995	Rohrberg et al.	
	A12	5,566,713	10-22-1996	Lhomer et al.	
	A13	5,605,179	02-25-1997	Strong, Jr. et al.	
	A14	5,737,589	04-07-1998	Yokogi	
	A15	5,749,389	05-12-1998	Ritrosi et al.	
	A16	6,012,478	01-11-2000	Park	

**U.S. PUBLISHED APPLICATIONS**

Examiner Initials*	Cite No. <sup>1</sup>	Publication No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	A17	EP 0 275 242	07-20-1988	AGA Aktiebolag		X
	A18	EP 0 308 875	03-29-1989	Union Carbide Corp.		X
	A19	JP 91-219172	09-26-1991	Kawahara Masakatsu		X
	A20	EP 0459 966	12-04-1991	Kihlberg		X
	A21	JP 93-215299	08-24-1993	Neriki:KK		X
	A22	JP 93-039898	02-19-1993	Neriki:KK		X

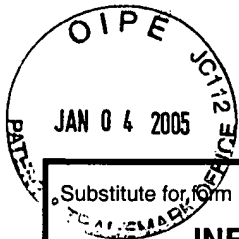
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DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 2 of 2

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	A23	EP 0 588 531	03-23-1994	Kabushiki Kaisha Neriki		X
	A24	EP 0 688 983	12-27-1995	Kabushiki Kaisha Neriki		X
	A25	WO 96/07843	03-14-1996	L'Air Liquide		X
	A26	WO 96/29529	09-26-1996	Insync Systems, Inc.		X
	A27	EP 0 747 796	12-11-1996	L'Air Liquide		X
	A28	GB 403 238	12-21-1933	Tomkins & Co.		

**OTHER ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	A29	First UK Patent Search Report for GB 9724168.1, UK Patent Office, 6-23-1998
	A30	Second UK Patent Search Report for GB 9724168.1, UK Patent Office, 10-14-1998
	A31	Third UK Patent Search Report for GB 9724168.1, UK Patent Office, 10-14-1998
	A32	Fourth UK Patent Search Report for GB 9724168.1, UK Patent Office, 10-14-1998
	A33	"A Revolutionary Actuator for Microstructures," <i>Sensors</i> , Helmers Microsystems, Inc., 02-1993
	A34	"Benefits of a Minimalist Gas System Design," <i>Solid State Technology</i> , pp. 151, 155, Phillips et al., 10-1996
	A35	"The Next Step in Process Gas Delivery: A Fully Integrated System," <i>Semiconductor International</i> , pp. 79, 85, Cestari et al., 01/1997

EXAMINER

DATE CONSIDERED

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